

REMARKS/ARGUMENTS

Claims 1-51 are pending in the present application. The Office Action mailed September 7, 2006 rejected claims 1-3, 6-20 and 23-51 under 35 U.S.C. § 102(b) and rejected claims 4, 5, 21 and 22 under 35 U.S.C. § 103(a). Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

A. Claims 1-3, 6-20 and 23-51 Rejected Under 35 U.S.C. § 102(b)

The Office Action rejected claims 1-3, 6-20 and 23-51 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0037248 to Klein (hereinafter, "Klein"). In view of the above claim amendments and the following remarks, Applicants respectfully request that this rejection be withdrawn.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Claim 1 is directed to a method that is implemented by an identification tag reader. Claim 18 is directed to an identification tag reader. Claims 1 and 18 have both been amended to recite that "on subsequent power up," the identification tag reader "attempt[s] to form a new logical connection with a same computing device to which the identification tag reader was most recently connected." Support for this claim element may be found in original claims 17 and 34. As will be explained below, Klein does not disclose this claim element.

Klein relates generally to "a method for obtaining warranty registration of products, facilitating return of lost products, and expediting warranty service on defective products." Klein,

paragraph [0013]. Klein discloses “providing a unique identifier on or within each product.” Id. The unique identifier is “supplied in an RFID, which is embedded in the label” on the product. Id., paragraph [0016]. Klein discloses that a mail delivery service may identify the owner of a product by using an RFID reader to “read[] embedded RFID information” in a label that is attached to the product and “communicat[e] it to a ... central computer server.” Id., paragraph [0020]. However, Klein does not disclose that “on subsequent power up” of the RFID reader, the RFID reader “attempt[s] to form a new logical connection” with the central computer server, as is required by amended claims 1 and 18. In fact, Applicants cannot find any discussion in Klein regarding what happens “on subsequent power up” of the RFID reader. Accordingly, Applicants respectfully submit that claims 1 and 18 are patentably distinct from Klein, and request that the rejection of claims 1 and 18 be withdrawn.

Claims 2-3 and 6-16 depend either directly or indirectly from claim 1. Claims 19-20 and 23-33 depend either directly or indirectly from claim 18. Accordingly, Applicants respectfully request that the rejection of claims 2-3, 6-16, 19-20 and 23-33 be withdrawn for at least the same reasons as those presented above in connection with claims 1 and 18.

Claim 40 is directed to an identification tag reader. Claim 46 is directed to a method that is implemented by an identification tag reader. Klein does not disclose several of the elements that are recited in claims 40 and 46. Although Klein discusses the use of an RFID reader, Klein does not disclose that the RFID reader “determin[es] whether a link key database includes a link key associated with the computing device.” Klein also does not disclose that “if the link key database includes the link key,” the RFID reader “establish[es] a logical connection with the computing device using address information associated with the computing device and the link key.” Klein also does not disclose that “if the link key database does not include the link key ... the link key is generated” and the RFID reader “stor[es] the link key in the link key database.” Applicants cannot find any discussion in Klein regarding link keys. Although Klein refers generally to use of an “online database,” this database is used to store product registration information, not link keys. See, e.g., Klein, par. [0030].

Although the Office Action rejects claims 40 and 46 under 35 U.S.C. § 102(b) as being anticipated by Klein, the Office Action does not include any explanation of where the above claim elements are allegedly disclosed in Klein. As indicated above, Applicants respectfully submit that these claim elements are not disclosed in Klein, and as a result Applicants respectfully request that the rejection of claims 40 and 46 be withdrawn. If the next Office Action maintains the rejection, however, Applicants respectfully request an explanation of where the above claim elements are allegedly disclosed in Klein.

Claims 41-45 depend either directly or indirectly from claim 40. Claims 47-51 depend either directly or indirectly from claim 46. Accordingly, Applicants respectfully request that the rejection of claims 41-45 and 47-51 be withdrawn for at least the same reasons as those presented above in connection with claims 40 and 46.

B. Claims 4, 5, 21 and 22 Rejected Under 35 U.S.C. § 103(a)

The Office Action rejected claims 4, 5, 21 and 22 under 35 U.S.C. § 103(a) based on Klein. Claims 4 and 5 depend either directly or indirectly from claim 1. Claims 21 and 22 depend either directly or indirectly from claim 18. As discussed above, amended claims 1 and 18 are patentably distinct from Klein. Accordingly, Applicants respectfully request that the rejection of claims 4, 5, 21 and 22 be withdrawn.

C. Information Disclosure Statement Submitted on August 4, 2006

The Office Action indicated that the information disclosure statement that was submitted on August 4, 2006 was not proper. In particular, the Office Action indicated that all four sheets of the information disclosure statement were blank except for a page header. Applicants respectfully point out that this was due to an error on the part of the Electronic Business Center. According to the Electronic Business Center, the error has now been corrected. Applicants have verified that the information disclosure statement is currently available on Private PAIR. Accordingly, Applicants

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respectfully submit that the information disclosure statement is proper and request that the Examiner consider the information disclosure statement.

D. Conclusion

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wesley L. Austin", written in a cursive style.

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